

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

MICHAEL SILLA,

Defendant.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/17/08

No. 07 Civ. 7488 (RJS)  
DEFAULT JUDGMENT

RICHARD J. SULLIVAN, District Judge:

On August 23, 2007, plaintiff filed a complaint in this action. On September 1, 2007, plaintiff served defendant Michael Silla with a copy of the summons and complaint, and filed proof of such service on September 11, 2007. On December 19, 2007, the Clerk of the Court noted the default of defendant. At this time, over four months from the date of service, defendant has failed to answer the complaint or to otherwise appear in this action.

Subsequently, on January 3, 2008, this Court issued an Order directing defendant to show cause at a hearing before the Court on January 16, 2008, as to why a default judgment should not be entered against him pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Defendant failed to appear at the January 16 hearing, and did not attempt to obtain an adjournment or to offer any explanation for his absence.<sup>1</sup> Plaintiff now asks this Court to enter a default judgment against defendant pursuant to Rule 55(b)(2).

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<sup>1</sup> Defendant was served by mail with a copy of the Order to Show Cause on January 4, 2008.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a default judgment is GRANTED pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Plaintiff shall have judgment against defendant Silla, in the sum of \$47,853.09, plus \$26,601.26 representing interest at the rate of 8.25 percent per annum, together with costs and disbursement in the sum of \$400.00, amounting in total to the sum of \$74,584.35, with interest thereafter from the date of judgment as provided by law.

SO ORDERED.

Dated: New York, New York  
January 17, 2008



RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE